



Docket No.: PF-0232-1 DIV

Response Under 37 C.F.R. 1.116 - Expedited Procedure

Examining Group 1647

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Katherine Stofer

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: LaBrie et al.

Title: HUMAN TUBBY HOMOLOG

Serial No.: 09/782,390

Filing Date: February 12, 2001

Examiner: Spector, L.

Group Art Unit: 1647

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated May 15, 2003, of the Examiner's rejection of Claim(s) 1, 2, 16, and 17.

Please charge the Appeal fee of **\$320.00** required under 37 CFR 1.17(b) to Deposit Account No. **09-0108**. The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayments to Deposit Account No. **09-0108**.

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Respectfully submitted,

INCYTE CORPORATION

Date: 15, September 2003

[Signature]
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